

Application No. : 10/682,347
Art Unit : 1793

Attorney Docket No. 21051.00
Confirmation No. 8743

REMARKS

By the present amendment, Applicant has canceled Claims 1-8 and Claim 28 (*renumbered*). Also, Claim 9 and Claims 10-27 (*renumbered*) have been amended. Note that original Claims "11" through "29" have been renumbered as Claims 10 through 28, respectively. Claims 9-27 remain pending in the present application. Claim 9 is an independent claim.

The Examiner has maintained the propriety of the restriction requirement of record and has made it FINAL. Claims 1-8 were held withdrawn from further consideration by the Examiner as being directed to a non-elected invention. Accordingly, it is proposed herein that the instant claims be canceled to expedite prosecution of the present application. However, it should be noted that under the provisions of 35 U.S.C. § 121 Applicant reserves the right to file a divisional application directed to the non-elected subject matter.

In the recent Office Action, the Examiner rejected Claims "9-29" under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim "29" was rejected Claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over Komoriya et al. (US 6,322,606) or Hudson et al. (US 5,538,531) or Hirano et al. (US 6,231,633). Claim "29" was also rejected Claims 1-5 under 35 U.S.C. § 102(e) as being anticipated by or, in the

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alternative, under 35 U.S.C. § 103(a) as being unpatentable over Marhusch (US 6,503,288). The Examiner indicated that the method claims were patentable over the prior art and would be allowable if amended to overcome the Section 112, second paragraph, rejection of record.

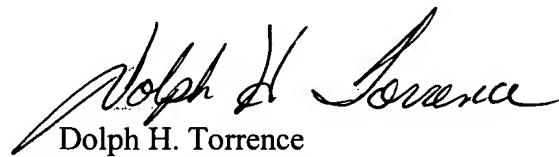
The cancellation of renumber Claim 28 by the present amendment should serve to render the prior art rejections of record moot with respect to the instant claim. With regard to the remaining method claims, the Examiner's indication of allowable subject matter is noted with appreciation. In this regard, Applicant has amended independent Claim 9 and renumbered Claims 10-27 to more particularly define the subject matter in question. Specifically, Claim 9 has been amended to recite the upper temperature of "150" for the preheating step. Amended renumbered Claims 12-16 and 20 now recite proper Markush terminology. Also, the dependency of Claims 10-27 have been changed in the interest of consistency and clarity. Claims 15, 16, and 18 have been further amended to provide express antecedent support for the claim language. Care has been exercised to ensure that no new matter has been introduced by the present revisions to the claims. Applicant respectfully submits that amended Claims 9-27 are in full compliance with the specific requirements of 35 U.S.C. § 112, second paragraph,.

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For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, reading "Dolph H. Torrence". The signature is fluid and cursive, with the first name "Dolph" being more prominent and the last name "Torrence" following in a similar style.

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